

# MEMORANDUM

Agenda Item No. 10(A)(1)

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**TO:** Hon. Chairperson and Members  
Board of County Commissioners

**DATE** May 20, 2003

**FROM:** Robert A. Ginsburg  
County Attorney

**SUBJECT:** Resolution urging the Governor  
to veto the Minimum Wage  
Preemption Bill

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The accompanying resolution was prepared and placed on the agenda at the request of Commissioner Natacha Seijas and Commissioner Jimmy L. Morales.

  
Robert A. Ginsburg  
County Attorney

RAG/bw



# MEMORANDUM

(Revised)

**TO:** Honorable Chairperson and Members  
Board of County Commissioners

**DATE:** May 20, 2003

**FROM:** Robert A. Ginsburg  
County Attorney

**SUBJECT:** Agenda Item No. 10(A)(1)

Please note any items checked.

- "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- 6 weeks required between first reading and public hearing
- 4 weeks notification to municipal officials required prior to public hearing
- Decreases revenues or increases expenditures without balancing budget
- Budget required
- Statement of fiscal impact required
- Bid waiver requiring County Manager's written recommendation
- Ordinance creating a new board requires detailed County Manager's report for public hearing
- Housekeeping item (no policy decision required)
- No committee review

Approved \_\_\_\_\_ Mayor

Agenda Item No. 10(A)(1)

Veto \_\_\_\_\_

5-20-03

Override \_\_\_\_\_

RESOLUTION NO. \_\_\_\_\_

RESOLUTION URGING THE GOVERNOR TO VETO CS/SB  
54 MINIMUM WAGE PREEMPTION BILL

**WHEREAS**, the Florida Senate and House passed Committee Substitute for Senate Bill 54 Enrolled (CS/SB 54), which prohibits a local government from setting a minimum wage higher than the federal minimum wage, except when a local government employs an employee directly or contracts or subcontracts with a firm; and

**WHEREAS**, Miami-Dade County has implemented a living wage ordinance in an effort to provide job and economic growth and prosperity for its citizens; and

**WHEREAS**, the living wage ordinance has applied to certain employees, contractors and subcontractors of Miami-Dade County for several years; and

**WHEREAS**, in September 2002, the Miami-Dade Board of County Commissioners extended its living wage ordinance to include firms that hold permits to work in secure areas of Miami International Airport in the following security-sensitive roles:

1. Guiding aircrafts in and out of the airport;
2. Providing ground to aircraft communication services;
3. Planning aircraft flights and other navigational services;
4. Refueling aircraft;
5. Preparing clearance documents for aircraft passengers baggage and cargo;
6. Providing ticketing of passengers/ handling of baggage, excluding tip-related and curbside porter services.

**WHEREAS**, the living wage ordinance was applied to these jobs in order to reduce what was previously a high-level of turnover that occurred in these positions; and

**WHEREAS**, this high-level of turnover created security concerns among such important jobs as refueling aircrafts, guiding aircrafts and handling baggage and food for aircrafts, all within or with access to the secured areas of Miami International Airport; and

**WHEREAS**, if CS/SB 54 is signed into law, wages for these security-sensitive jobs could drop from \$10.30 an hour to \$5.15 an hour, resulting in a return to substantially higher levels of turnover and an accompanying heightened security concern; and

**WHEREAS**, on April 8, 2003, the Miami-Dade County Board of County Commissioners adopted Resolution No. 356-03 opposing SB 54 and HB 321, its House companion, said resolution incorporated by reference herein; and

**WHEREAS**, efforts to amend or stop CS/SB 54 or HB 321 as they moved through committees did not prove successful; and

**WHEREAS**, an amendment was offered on the floor of the House of Representatives by Representative Manny Prieguez that would have exempted such security-sensitive workers at Miami International Airport from the minimum wage preemption; and

**WHEREAS**, after a passionate floor debate on the amendment, the Prieguez amendment went down to defeat by a vote of 53 yeas, 59 nays; and

**WHEREAS**, it is significant to note that every member of the Miami-Dade House Delegation voted in favor of the amendment,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that:

Section 1. This Board urges Governor Jeb Bush to veto CS/SB 54, which would preempt local governments from imposing a minimum wage higher than the federal minimum wage, except in certain circumstances.

Section 2. The Clerk of the Board is directed to immediately transmit a certified copy of this resolution to the Governor and the Chair and members of the Miami-Dade County State Legislative Delegation.

The foregoing resolution was sponsored by Commissioner Natacha Seijas and Commissioner Jimmy L. Morales and offered by Commissioner \_\_\_\_\_, who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and upon being put to a vote, the vote was as follows:

Bruno A. Barreiro  
Jose "Pepe" Diaz  
Sally A. Heyman  
Jimmy L. Morales  
Dorin D. Rolle  
Katy Sorenson

Dr. Barbara Carey-Shuler  
Betty T. Ferguson  
Joe A. Martinez  
Dennis C. Moss  
Natacha Seijas  
Rebeca Sosa

Sen. Javier D. Souto

The Chairperson thereupon declared the resolution duly passed and adopted this 20<sup>th</sup> day of May, 2003. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF  
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: \_\_\_\_\_  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.

JMM/RAG

Jess M. McCarty

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